

# City of Santa Fe, New Mexico

## LEGISLATIVE SUMMARY

### Resolution No. 2016-\_\_\_\_ Land Use Facilitation Program

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**SPONSOR(S):** Councilor Bushee

**SUMMARY:** The proposed resolution requests staff to develop a Land Use Facilitation Program based on the highly successful Albuquerque model.

**PREPARED BY:** Rebecca Seligman, Legislative Liaison Assistant

**FISCAL IMPACT:** Yes

**DATE:** December 29, 2015

**ATTACHMENTS:** Resolution  
FIR



1           **WHEREAS**, any application in which residents may have questions or concerns about  
2 the proposed project or the applicant feels that a facilitated meeting may be beneficial; and

3           **WHEREAS**, experience has shown that generally cases fall into four areas:

4           1.     Infill Projects – projects that affect the following:

- 5                 a.     The population density of an area (including apartment buildings);
- 6                 b.     The size and height of the proposed project that is incongruous with existing  
7                     development;
- 8                 c.     Resulting in a concern about overcrowding of local schools; and
- 9                 d.     An increase in traffic that leads to road modifications such as road expansion or  
10                    addition of lights.

11           2.     Projects offering services that differ from traditional services or uses in the area such  
12 as the following:

- 13                 a.     Businesses seeking liquor licenses;
- 14                 b.     Adult services; or
- 15                 c.     Assisted living programs.

16           3.     Projects that affect major infrastructure systems:

- 17                 a.     Transportation;
- 18                 b.     Sewer;
- 19                 c.     Water;
- 20                 d.     Drainage.

21           4.     Audit compatible with surrounding area

22           **WHEREAS**, the project would be referred to the Current Planning Division by various means:

23           Step 1 - Referral

- 24                 •     The Office of Neighborhood Planner;
- 25                 •     A division of the Planning Department; or

- An applicant, or a citizen expressing interest in a facilitated meeting.
- Neighborhood Planner

#### Step 2: Facilitator Assignment

- The Current Planning Division contacts the Facilitator Manager to assign a facilitator.
- The Facilitator Manager is a neutral contracted with the City of Santa Fe and is not a City employee.

#### Step 3: Initiation of Process

- The Facilitator calls the Applicant and Neighborhood Associations to determine interest in a meeting;
- If there is no interest, the Facilitator generates a “No Facilitated Meeting Held” Report;
- If there is interest the Facilitator schedules the time, date, and location of the meeting.

#### Step 4: Facilitated Meeting

- Applicant presents proposed project;
- Interactive discussion follows applicant presentation;
- Facilitator records comments, questions, concerns, and areas of agreement.

#### Step 5: Report Generation and Distribution

- Facilitator generates a neutral compilation of the facts presented at the meeting;
- Report is distributed to the appropriate Planning Division, the Current Planning Division, the Office of Neighborhood Planner, meeting participants, and the official neighborhood contacts provided by the Office of Neighborhood Planner.

1           **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
2 **CITY OF SANTA FE** that City staff is directed to develop a Land Use Facilitation Program. Such a  
3 program would be a voluntary avenue for developers and residents to ask questions, express concerns  
4 and exchange ideas on proposed developments.

5           **BE IT FURTHER RESOLVED** that development of a Land Use Facilitation Program shall  
6 include draft language to implement the Program as part of the City of Santa Fe Land Use  
7 Development Code.

8           **BE IT FURTHER RESOLVED** that staff shall report back to the Governing Body on the  
9 status of a Land Use Facilitation Program and anticipated fiscal impact within 180 days of adoption  
10 of this resolution.

11 PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

12  
13  
14 \_\_\_\_\_  
15 JAVIER M. GONZALES, MAYOR

16 ATTEST:

17  
18 \_\_\_\_\_  
19 YOLANDA Y. VIGIL, CITY CLERK

20 APPROVED AS TO FORM:

21   
22 \_\_\_\_\_  
23 KELLEY A. BRENNAN, CITY ATTORNEY

**City of Santa Fe  
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

**Section A.      General Information**

(Check) Bill: \_\_\_\_\_ Resolution:   X    
(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION REQUESTING STAFF TO DEVELOP A LAND USE FACILITATION PROGRAM BASED ON THE HIGHLY SUCCESSFUL ALBUQUERQUE MODEL.**

Sponsor(s): Councilor Bushee

Reviewing Department(s): Land Use Department

Persons Completing FIR: Noah Berke Date: 12/29/15 Phone: x6647

Reviewed by City Attorney: *Kelley A. Burrman* Date: 12/30/15  
(Signature)

Reviewed by Finance Director: *[Signature]* Date: 12-31-2015  
(Signature)

**Section B.      Summary**

Briefly explain the purpose and major provisions of the bill/resolution:

**The proposed resolution requests staff to develop a Land Use Facilitation Program based on the Albuquerque model**

**Section C.      Fiscal Impact**

**Note:** Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)\*

**1. Projected Expenditures:**

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate:      "A" if current budget and level of staffing will absorb the costs  
                      "N" if new, additional, or increased budget or staffing will be required
- c. Indicate:      "R" – if recurring annual costs  
                      "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: *[Signature]*

X   Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____
Total:	\$ _____			\$ _____			

\* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. \*\*For fringe benefits contact the Finance Dept.

**2. Revenue Sources:**

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
Total:	\$ _____		\$ _____		

**3. Expenditure/Revenue Narrative:**

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

**The resolution has no fiscal impact. However, the bill/ordinance that the resolution calls for staff to develop will have a fiscal impact.**

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**Section D.      **General Narrative****

**1. Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

**None identified.**

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**2. Consequences of Not Enacting This Bill/Resolution:**

Are there consequences of not enacting this bill/resolution? If so, describe.

**The would be no Land Use Facilitation group created.**

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**3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

**None identified.**

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**4. Community Impact:**

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

**The resolution will not affect the community at this point. When staff develops the facilitation program called for, it will affect future development projects within the City.**

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## Middle Ground

BY MILJEN ALJINOVIC

I've had some interesting conversations in the last week, since challenging you all to reach out and talk to me about whatever you thought was important. Response to my little experiment has been immediate and continuous, and the subjects of discussion have been as varied as the participants. But one common thread has run through almost every conversation I've had: Whatever the issue, from economics to politics to human rights, in Santa Fe, the actual argument is usually personal.

Since it's how the conversation started, many early responders wanted to talk about housing. One of them, Courtenay Mathey, has worked in and around Santa Fe as an architect for the last 28 years. He's designed everything from single-family mansions to traditional and even communal housing developments, such as the Commons on West Alameda. Throughout, he's found himself straddling the communication gap between developers and the neighborhoods surrounding the areas they wish to build on.

What's become apparent to me is that these disagreements often have less to do with difference of opinion, and more to do with personal distrust and mutual disrespect. Mathey recounted an instance in which a former member of a neighborhood association, who was bitterly opposed to the Villa de La Paz development, which he planned, approached him years later to tell him she now loved the neighborhood, which was home to many of her friends. More often than not, the disputes residents have with proposed developments could be easily resolved if everyone in the room wasn't so ideologically and rhetorically entrenched.

I also spoke with Philip Crump, who has worked for the city of Albuquerque's Land Use Facilitation Program since 1998. The closest thing Santa Fe has to this is the Early Neighborhood Notification system, through which

developers are given a checklist of common issues to address, and their responses to these issues are then shared with the neighborhood before the thing marches forward to the city's review boards. End of process. Albuquerque's program turns this cookie-cutter system into more of a dialogue. Whenever a developer proposes a new project, the city refers the application to a contract facilitator such as Crump, who contacts both the neighbors and the developer to work out a common ground, preventing the sort of miscommunication (or noncommunication-) based standoffs we've seen recently with El Rio and the like. The Office of Neighborhood Coordination also offers training for neighborhood associations, so that when the time comes to negotiate with developers, their leaders and members have the proper information and context to know what is in their best interest. He says all of this results in much greater participation and a much more effective discourse within the associations.

Like any system designed to bridge communication gaps between groups with opposing interests, the process isn't perfect. But establishing something similar in Santa Fe would likely to make any progress in addressing this housing crisis. Developers and neighborhoods both have ideas about how we should move forward, but it is clear that after years of mutual mistrust and demonization, the two sides are more divided than ever. In July, City Councilor Patti Bushee put forth a resolution specifically intended to develop program here based on the Albuquerque model, but if that's to do anything more than pay lip service to the problem, we need to act on it now. I doubt we'll ever change the passion with which we argue our points in this town, but perhaps it's time to hire a referee. [SF](mailto:miljen@sfireporter.com)

*The point is often the least interesting part of the conversation. Have one with the author: [miljen@sfireporter.com](mailto:miljen@sfireporter.com)*